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Attorney Docket No. 26979U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SIMANOVSKY

Art Unit 4111

Application No. 10/550,189

Confirmation No.: 7301

Filed: July 13, 2006

Examiner: SIGLER, Jay R.

Title: **IMPLANT FOR TREATING IDIOPATHIC SCOLIOSIS AND A METHOD FOR USING THE SAME**

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Commissioner:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

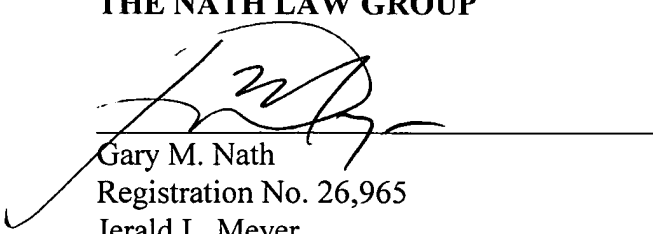
- (1) Transmittal Letter; and
- (2) Response to Restriction Requirement.

If an Extension of Time under 37 CFR §1.136 is required and has not been separately requested, please consider this Transmittal Letter as including a request for such Extension of Time and as a further authorization to charge any fee for such Extension of Time, as may be required by 37 CFR §1.17, to Deposit Account No. 14-0112. Also, please charge any fee deficiency, or credit any overpayment, in connection with this matter to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

Date: January 3, 2008

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314
(703)548-6284


Gary M. Nath
Registration No. 26,965
Jerald L. Meyer
Registration No. 41,194
Matthew J. Moffa
Registration No. 58,860
Customer No. 20529



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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a full and complete response to the Office Action having a mailing date of December 7, 2007. The one-month shortened statutory period to respond was set to expire January 7, 2008, making this a timely filed response.

In view of the following response, Applicant respectfully requests that the Examiner continue to conduct a substantive examination on the merits.

Remarks and Election are on page 2.